IT IS HEREBY ORDERED
AS DESCRIBED BELOW.

DATED: April 17, 2008

Honorable James E. Shapiro
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF WISCONSIN

In the matter:

Alfred and Kristine Schlender,	Case No. 08-23679-JES
Debtor.	Chapter 7

ORDER DENYING DEBTORS' REQUEST FOR EXTENSION OF TIME TO FILE CREDIT COUNSELING CERTIFICATE AND DISMISSING CASE

The debtors filed a voluntary petition under Chapter 7 on April 14, 2008. At the time of filing this petition in bankruptcy, the debtors also filed a certificate of exigent circumstances and request for extension of time to file certificate of credit counseling. The certification states that the circumstances requiring filing before the credit counseling are that debtors' utilities would be shut off on April 15, 2008.

A debtor may also be excused from the credit counseling requirement if the debtor submits to the court a certification that:

> (i) describes exigent circumstances that merit a waiver of the requirements of paragraph (1);
> (ii) states that the debtor requested credit counseling services from an approved

> nonprofit budget and credit counseling agency, but was unable to obtain the services referred to in paragraph (1) during the 5-day period beginning on the date on which the debtor made that request; and
> (iii) is satisfactory to the court.

11 U.S.C. § 109(h)(3). The debtors' certification does not state that the debtors requested credit counseling but were unable to obtain the required briefing during the 5-day period beginning on the date on which the debtor made the request.

Accordingly, it is ORDERED, due to debtors' failure to meet the requirements under 11 U.S.C. § 109, this case is dismissed without prejudice to the debtors' right to file a new case subject to compliance with 11 U.S.C. § 109.

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